

**CALENDAR ITEM
C07**

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10/16/15

S 1

PRC 4232.1
S. Kreutzburg

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Alice Russell-Shapiro, as Trustee, or the successor Trustee or Trustees, of the Alice Russell-Shapiro Qualified Personal Residence Trust of 1996, U/A/D May 13, 1996.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 3695 Idlewild Way, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, and two mooring buoys previously authorized by the Commission, and the use and maintenance of an existing freshwater intake pipeline not previously authorized by the Commission.

LEASE TERM:

10 years, beginning December 1, 2015.

CONSIDERATION:

\$1,599 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Other:

1. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization for the mooring buoys within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances. If Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

CALENDAR ITEM NO. **C07** (CONT'D)

2. Lessee expressly acknowledges and agrees that issuance of a Lease does not substitute for, or provide preference in, obtaining authorizations from the TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. The Applicant owns the upland adjoining the lease premises.
2. On December 8, 2005, the Commission authorized a 10-year Recreational Pier Lease to Alice Russell-Shapiro, as Trustee, or the successor Trustee or Trustees, of the Alice Russell-Shapiro Qualified Personal Residence Trust of 1996, U/A/D May 13, 1996, for an existing pier, boat lift, and two mooring buoys. The Lease will expire on November 30, 2015.
3. The Applicant is now applying for a General Lease – Recreational Use for the use and maintenance of an existing pier, boat lift, two mooring buoys, and one existing freshwater intake pipeline. The freshwater intake pipeline has existed for many years but was not previously authorized. Staff recommends bringing the pipeline under lease.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

CALENDAR ITEM NO. **C07** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, Section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Alice Russell-Shapiro, as Trustee, or the successor Trustee or Trustees, of the Alice Russell-Shapiro Qualified Personal Residence Trust of 1996, U/A/D May 13, 1996, beginning December 1, 2015, for a term of 10 years, for the continued use and maintenance of an existing pier, boat lift, and two mooring buoys previously authorized by the Commission, and one existing freshwater intake pipeline not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; annual rent in the amount of \$1,599, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 4232.1

LAND DESCRIPTION

Four (4) parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 1 of fractional Section 36, Township 15 North, Range 16 East, M.D.B.&M., as shown on Official Government Township Plat approved December 20, 1865, County of Placer, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, catwalk, and a boat lift lying adjacent to that parcel described in Quitclaim Deed recorded May 15, 1996 as Document Number 96-027419 in Official Records of said County.

PARCEL 2 – WATER IN-TAKE PIPE

All those lands underlying an existing water in-take pipe lying adjacent to said parcel.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCELS 3 & 4 – BUOYS

Two circular parcels of land, each being 50 feet in diameter, underlying two existing buoys lying adjacent to that parcel described in Quitclaim Deed recorded May 15, 1996 as Document Number 96-027419 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 06/03/2015 by the California State
Lands Commission Boundary Unit.



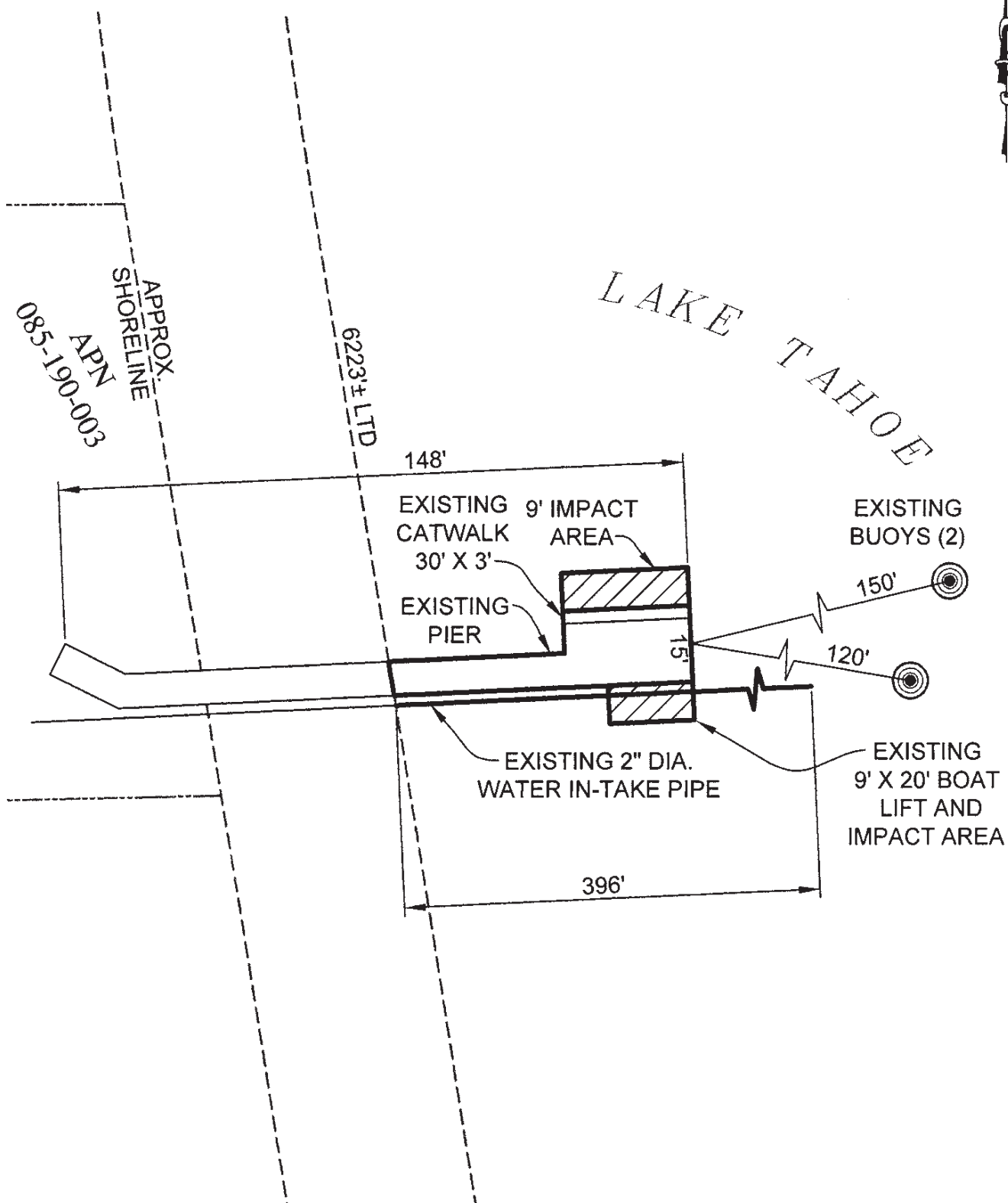


EXHIBIT A

Page 2 of 2

RGB 06/02/15

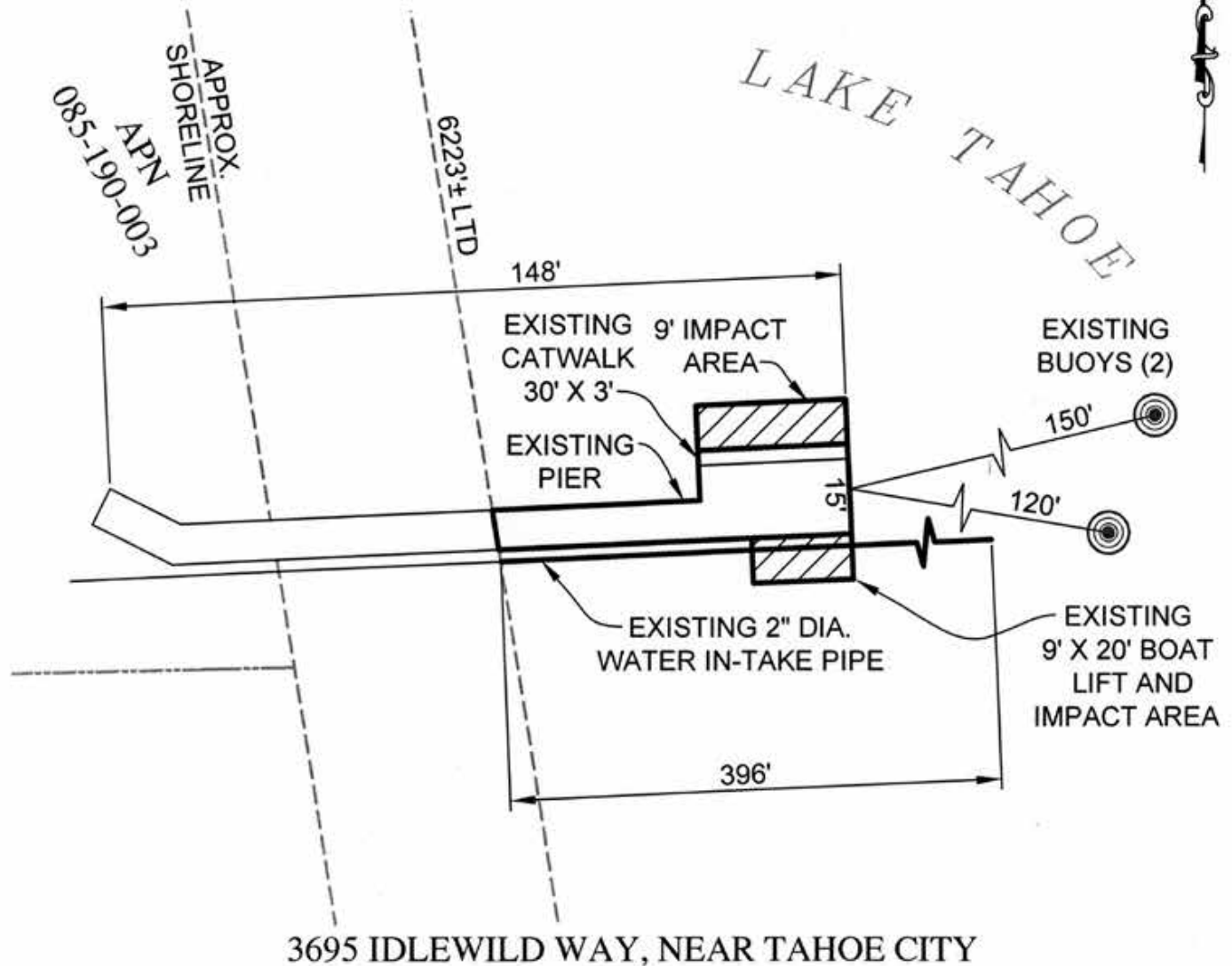
LAND DESCRIPTION PLAT
PRC 4232.1, RUSSELL-SHAPIO TRUST
PLACER COUNTY

CALIFORNIA STATE LANDS
COMMISSION



NO SCALE

SITE



NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 4232.1
RUSSELL-SHAPIO TRUST
APN 085-190-003
GENERAL LEASE -
RECREATIONAL USE
PLACER COUNTY



RGB 06/02/15